

Notice of Allowability

Application No.

10/646,287

Examiner

Barbara Summons

Applicant(s)

SHIBAHARA, TERUHISA

Art Unit

2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-19.
3. ☒ The drawings filed on 22 August 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 2/4/04(fx10/13/04)
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other Title change.

EXAMINER'S AMENDMENT/COMMENTS

Examiner's Amendment

1. An examiner's amendment to the record, correcting only typographical errors and obvious omissions (i.e. brief description of Fig. 9), appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the specification:

On page 9, immediately following the paragraph describing Fig. 8, the following paragraph has been inserted:

- - FIG. 9 illustrates the structure of a surface acoustic wave filter in accordance with the prior art. - -.

On page 9, on the 5th line from the bottom "4" has been changed to - - 5 - - because balanced terminal 11 is connected to IDT 5 (see also the immediately preceding line and Fig. 1).

On page 10, on line 15, "finer" has been changed to - - finger - -.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

The prior art of record does not disclose or fairly suggest a surface acoustic wave filter having each of the specifically recited features, especially the first through third

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interdigital transducers (IDTs) arranged and structured as recited and also having the specified IDT weighting (see claims 1, 5 and 10 the last paragraph thereof and claim 16 the last two paragraphs thereof), and wherein the "serial connection weighting" recited in claim 5 (last line thereof) is defined by the specification, for example, at the paragraph bridging pages 5 and 6 (see also page 10, lines 17-19, page 13, lines 18-24) and shown in at least Figs. 1 and 6.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Comments on IDS, Title change and Prior Art

3. The form PTO-1449 with the information disclosure statement filed 2/4/04 apparently did not get scanned so the Examiner could not "see" it. Applicant provided a faxed copy on 10/13/04, which is initialed and signed by the Examiner, and its date of receipt is considered 2/4/04.

4. It should be noted that the Title of the Invention has been changed to:

- - SURFACE ACOUSTIC WAVE FILTER WITH SPLIT CENTER IDT AND
SPECIFIC WEIGHTING AND COMMUNICATION APPARATUS - -

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. 2002/0145361 appears to be a related application and discloses a SAW filter with a split center IDT (see Fig. 14) and shows weighting including "serial connection weighting" (see Fig. 24). This application was also reviewed for Double Patenting issues and none were found.

Nakazawa et al. JP 11-97966 discloses a SAW filter with a split center IDT (see Fig. 1), but does not discuss any weighting of the IDTs as recited in the claims of the instant application.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara Summons whose telephone number is (571) 272-1771. The examiner can normally be reached on M-Th, M-Fr.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Pascal can be reached on (571) 271-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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October 13, 2004



**BARBARA SUMMONS
PRIMARY EXAMINER**